

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Patent Application No. 09/955,473

Applicant: Forney et al.

Filed: September 17, 2001

TC/AU: 2174

Examiner: Ryan F. Pitaro

Docket No.: 213307

Customer No.: 23460

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**TRANSMITTAL OF
APPELLANTS' APPEAL BRIEF**

Mail Stop Appeal Brief – Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR 41.37, appellants hereby submit Appellants' Brief on Appeal.

The items checked below are appropriate:

1. Status of Appellants

This application is on behalf of other than a small entity or a small entity.

2. Fee for Filing Brief on Appeal

Pursuant to 37 CFR 41.20(2), the fee for filing the Brief on Appeal is for: other than a small entity or a small entity.

Brief Fee Due \$500.00

3. Oral Hearing

Appellants request an oral hearing in accordance with 37 CFR 41.47.

A separate paper requesting oral hearing is attached.

4. Extension of Time

Appellants petition for a four-month extension of time under 37 CFR 1.136, the fee for which is \$1,590.00

Appellants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that appellants have inadvertently overlooked the need for a petition and fee for extension of time.

Extension fee due with this request: \$1,590.00

5. Total Fee Due

The total fee due is:

Brief on Appeal Fee	\$500.00
Less Brief on Appeal Fee already paid	\$ 0.00
Request for Oral Hearing	\$ 0.00
Extension Fee (if any)	\$1,590.00

Total Fee Due: \$2090.00

6. Fee Payment

Attached is a check in the sum of \$.

Charge Account No. 12-1216 the sum of \$2,090.00. A duplicate of this transmittal is attached.

7. Fee Deficiency

If any additional fee is required in connection with this communication, charge Account No. 12-1216. A duplicate copy of this transmittal is attached.

Respectfully submitted,

Mark Joy, Reg. No. 35,562
 LEYDIG, VOIT & MAYER, LTD.
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Date: February 16, 2007

MAILING/TRANSMISSION CERTIFICATE UNDER 37 CFR 1.8 OR 1.10			
I hereby certify that this document and all accompanying documents are, on the date indicated below, being <input type="checkbox"/> deposited with the U.S. Postal Service using "Express Mail" service in an envelope addressed in the same manner indicated on this document with Express Mail Label Number <u> </u> , <input type="checkbox"/> deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed in the same manner indicated on this document, or <input type="checkbox"/> facsimile transmitted to the U.S. Patent and Trademark Office at fax number: (571) 273-8300.			
Name (Print/Type)			
Signature		Date	